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§4–126.2.

(a) In this section, “Fund” means the Prince George’s County Public–Private Partnership Fund.

(b) There is a Prince George’s County Public–Private Partnership Fund.

(c) The purpose of the Fund is to provide funds to pay a public or private entity for the availability payment due under the Prince George’s County public–private partnership agreement entered into in accordance with § 4–126.1 of this subtitle.

(d) The Interagency Commission on School Construction shall administer the Fund as described in the four–party memorandum of understanding entered into under § 4–126(e)(3)(ii) of this subtitle.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) Money deposited into the Fund by Prince George’s County, the Prince George’s County Board, and the Maryland Stadium Authority;

(2) Money deposited into the Fund by the State;

(3) Any investment earnings of the Fund; and

(4) Any other money from any other source accepted for the benefit of the Fund.

(g) (1) Except as provided in paragraph (2) of this subsection, the Fund may be used only to provide funding for alternative financing methods under § 4–126 of this subtitle in Prince George’s County.

(2) If Prince George’s County receives State funding for an availability payment under § 4–126.1 of this subtitle, the funding received under § 4–

126.1 of this subtitle may be used only to pay an availability payment to a private entity under the public–private partnership agreement entered into and approved in accordance with § 4–126.1 of this subtitle.

(h) Any appropriation to the Fund shall be used to supplement, but not supplant, money appropriated to Prince George’s County for public school construction under the Public School Construction Program established in Title 5, Subtitle 3 of this article.

(i) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(j) If a memorandum of understanding is entered into under § 4–126 of this subtitle and State funding is provided for an availability payment, the Prince George’s County Board and Prince George’s County shall deposit into the Fund the amounts required under the memorandum of understanding.

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